

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
ELAINE FRANCIS

DEFENDANTS
NYPD DET. JERMAINE CLARK, NYPD DET. JOSEPH SANATORE, AND
NYPD OFFICER IVAN COBOTIC

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
STECKLOW & THOMPSON
217 CENTRE STREET 6TH FLOOR
NY NY 10013

ATTORNEYS (IF KNOWN)
NYC LAW DEPARTMENT
100 CHURCH STREET
NY NY 10007

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

42 USC 1983

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE? No ☐ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 367 HEALTHCARE/	<input type="checkbox"/> 625 DRUG RELATED	<input type="checkbox"/> 422 APPEAL	<input type="checkbox"/> 375 FALSE CLAIMS
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT	<input type="checkbox"/> PHARMACEUTICAL PERSONAL	<input type="checkbox"/> INJURY/PRODUCT LIABILITY	<input type="checkbox"/> 28 USC 158	<input type="checkbox"/> 378 QUI TAM
<input type="checkbox"/> 130 MILLER ACT	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> 385 PERSONAL INJURY	<input type="checkbox"/> SEIZURE OF PROPERTY	<input type="checkbox"/> 423 WITHDRAWAL	<input type="checkbox"/> 400 STATE
<input type="checkbox"/> 140 NEGOTIABLE	<input type="checkbox"/> 320 ASSAULT, LIBEL &	<input type="checkbox"/> PRODUCT LIABILITY	<input type="checkbox"/> 21 USC 881	<input type="checkbox"/> 28 USC 157	<input type="checkbox"/> REAPPORTIONMENT
<input type="checkbox"/> INSTRUMENT	<input type="checkbox"/> SLANDER	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 690 OTHER		<input type="checkbox"/> 410 ANTI-TRUST
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> INJURY PRODUCT		PROPERTY RIGHTS	<input type="checkbox"/> 430 BANKS & BANKING
<input type="checkbox"/> OVERPAYMENT &	<input type="checkbox"/> EMPLOYERS' LIABILITY	<input type="checkbox"/> LIABILITY		<input type="checkbox"/> 820 COPYRIGHTS	<input type="checkbox"/> 450 COMMERCE
<input type="checkbox"/> ENFORCEMENT	<input type="checkbox"/> 340 MARINE	PERSONAL PROPERTY		<input type="checkbox"/> 830 PATENT	<input type="checkbox"/> 460 DEPORTATION
<input type="checkbox"/> OF JUDGMENT	<input type="checkbox"/> 345 MARINE PRODUCT	<input type="checkbox"/> 370 OTHER FRAUD		<input type="checkbox"/> 840 TRADEMARK	<input type="checkbox"/> 470 RACKETEER INFLU-
<input type="checkbox"/> 151 MEDICARE ACT	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> 371 TRUTH IN LENDING			<input type="checkbox"/> ENCED & CORRUPT
<input type="checkbox"/> 152 RECOVERY OF	<input type="checkbox"/> 350 MOTOR VEHICLE			SOCIAL SECURITY	<input type="checkbox"/> ORGANIZATION ACT
<input type="checkbox"/> DEFAULTED	<input type="checkbox"/> 355 MOTOR VEHICLE			<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> (RICO)
<input type="checkbox"/> STUDENT LOANS	<input type="checkbox"/> PRODUCT LIABILITY	<input type="checkbox"/> 380 OTHER PERSONAL	LABOR	<input type="checkbox"/> 862 BLACK LUNG (923)	<input type="checkbox"/> 480 CONSUMER CREDIT
<input type="checkbox"/> (EXCL VETERANS)	<input type="checkbox"/> 360 OTHER PERSONAL	<input type="checkbox"/> PROPERTY DAMAGE	<input type="checkbox"/> 710 FAIR LABOR	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 490 CABLE/SATELLITE TV
<input type="checkbox"/> 153 RECOVERY OF	<input type="checkbox"/> INJURY	<input type="checkbox"/> 385 PROPERTY DAMAGE	<input type="checkbox"/> STANDARDS ACT	<input type="checkbox"/> 864 SSID TITLE XVI	<input type="checkbox"/> 850 SECURITIES/
<input type="checkbox"/> OVERPAYMENT	<input type="checkbox"/> 362 PERSONAL INJURY -	<input type="checkbox"/> PRODUCT LIABILITY	<input type="checkbox"/> 720 LABOR/MGMT	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> COMMODITIES/
<input type="checkbox"/> OF VETERAN'S	<input type="checkbox"/> MED MALPRACTICE	PRISONER PETITIONS	<input type="checkbox"/> RELATIONS		<input type="checkbox"/> EXCHANGE
<input type="checkbox"/> BENEFITS		<input type="checkbox"/> 463 ALIEN DETAINEE	<input type="checkbox"/> 740 RAILWAY LABOR ACT	FEDERAL TAX SUITS	<input type="checkbox"/> 890 OTHER STATUTORY
<input type="checkbox"/> 160 STOCKHOLDERS	ACTIONS UNDER STATUTES	<input type="checkbox"/> 510 MOTIONS TO	<input type="checkbox"/> 751 FAMILY MEDICAL	<input type="checkbox"/> 870 TAXES (U.S. Plaintiff or	<input type="checkbox"/> ACTIONS
<input type="checkbox"/> SUITS	CIVIL RIGHTS	<input type="checkbox"/> VACATE SENTENCE	<input type="checkbox"/> LEAVE ACT (FMLA)	<input type="checkbox"/> Defendant)	<input type="checkbox"/> 891 AGRICULTURAL ACTS
<input type="checkbox"/> 190 OTHER	<input type="checkbox"/> 440 OTHER CIVIL RIGHTS	<input type="checkbox"/> 28 USC 2255	<input type="checkbox"/> 790 OTHER LABOR	<input type="checkbox"/> 871 IRS-THIRD PARTY	<input type="checkbox"/> 893 ENVIRONMENTAL
<input type="checkbox"/> CONTRACT	<input type="checkbox"/> (Non-Prisoner)	<input type="checkbox"/> 530 HABEAS CORPUS	<input type="checkbox"/> LITIGATION	<input type="checkbox"/> 26 USC 7609	<input type="checkbox"/> MATTERS
<input type="checkbox"/> 195 CONTRACT	<input type="checkbox"/> 441 VOTING	<input type="checkbox"/> 535 DEATH PENALTY	<input type="checkbox"/> 791 EMPL RET INC		<input type="checkbox"/> 895 FREEDOM OF
<input type="checkbox"/> PRODUCT	<input type="checkbox"/> 442 EMPLOYMENT	<input type="checkbox"/> 540 MANDAMUS & OTHER	<input type="checkbox"/> SECURITY ACT (ERISA)		<input type="checkbox"/> INFORMATION ACT
<input type="checkbox"/> LIABILITY	<input type="checkbox"/> 443 HOUSING/				<input type="checkbox"/> 896 ARBITRATION
<input type="checkbox"/> 198 FRANCHISE	<input type="checkbox"/> ACCOMMODATIONS	PRISONER CIVIL RIGHTS	IMMIGRATION		<input type="checkbox"/> 899 ADMINISTRATIVE
	<input type="checkbox"/> 445 AMERICANS WITH	<input type="checkbox"/> 550 CIVIL RIGHTS	<input type="checkbox"/> 462 NATURALIZATION		<input type="checkbox"/> PROCEDURE ACT/REVIEW OR
REAL PROPERTY	<input type="checkbox"/> DISABILITIES -	<input type="checkbox"/> 555 PRISON CONDITION	<input type="checkbox"/> APPLICATION		<input type="checkbox"/> APPEAL OF AGENCY DECISION
<input type="checkbox"/> 210 LAND	<input type="checkbox"/> EMPLOYMENT	<input type="checkbox"/> 560 CIVIL DETAINEE	<input type="checkbox"/> 465 OTHER IMMIGRATION		<input type="checkbox"/> 950 CONSTITUTIONALITY OF
<input type="checkbox"/> CONDEMNATION	<input type="checkbox"/> 446 AMERICANS WITH	<input type="checkbox"/> CONDITIONS OF CONFINEMENT			<input type="checkbox"/> STATE STATUTES
<input type="checkbox"/> 220 FORECLOSURE	<input type="checkbox"/> DISABILITIES -OTHER				
<input type="checkbox"/> 230 RENT LEASE &	<input type="checkbox"/> 448 EDUCATION				
<input type="checkbox"/> EJECTMENT					
<input type="checkbox"/> 240 TORTS TO LAND					
<input type="checkbox"/> 245 TORT PRODUCT					
<input type="checkbox"/> LIABILITY					
<input type="checkbox"/> 280 ALL OTHER					
<input type="checkbox"/> REAL PROPERTY					

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint

JURY DEMAND: ☒ YES ☐ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation (Transferred) ☐ 7 Appeal to District Judge from Magistrate Judge
- ☐ a. all parties represented ☐ b. At least one party is pro se. ☐ 8 Multidistrict Litigation (Direct File)

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY) ☐ 4 DIVERSITY

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [] DEF []	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] []	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [] []
CITIZEN OF ANOTHER STATE	[] []	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] []	FOREIGN NATION	[] []

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21. DO NOT check either box if this is a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN

DATE 1/12/2017

SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT
[] NO

☒ YES (DATE ADMITTED Mo. 5 Yr. 2009)
Attorney Bar Code # 4722609

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)